

Research Brief

**Eight Months into Realignment:
Dramatic Reductions in California's Prisoners**

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Introduction

Quarterly figures released by the California Department of Corrections and Rehabilitation (CDCR) show that during the first eight months of Assembly Bill 109's (AB 109) implementation, commonly referred to as "realignment," there has been a 41% reduction in new prison admissions as of March 31, 2012, and a drop of 28,300 in the prison population as of May 31, 2012. Realignment was designed to redirect non-serious, non-violent, non-sex offenders from incarceration in state prison to the supervision of local jurisdiction. Within the first 8 months of realignment, CDCR has already progressed two-thirds of the way toward the goal of reducing inmate populations by 40,000 by 2017, far exceeding the initial decrease of 11,000 the Legislative Analyst's Office (2012) projected for fiscal year 2011-12.

This publication reviews the latest data from CDCR's Data Analysis Unit (2012a) of new prison admissions covering the third and last quarters of 2011 and the first quarter of 2012 to directly compare prison admissions before and after realignment. It provides a preliminary analysis of the overall statewide and county-by-county prison commitment and population trends.

Overview

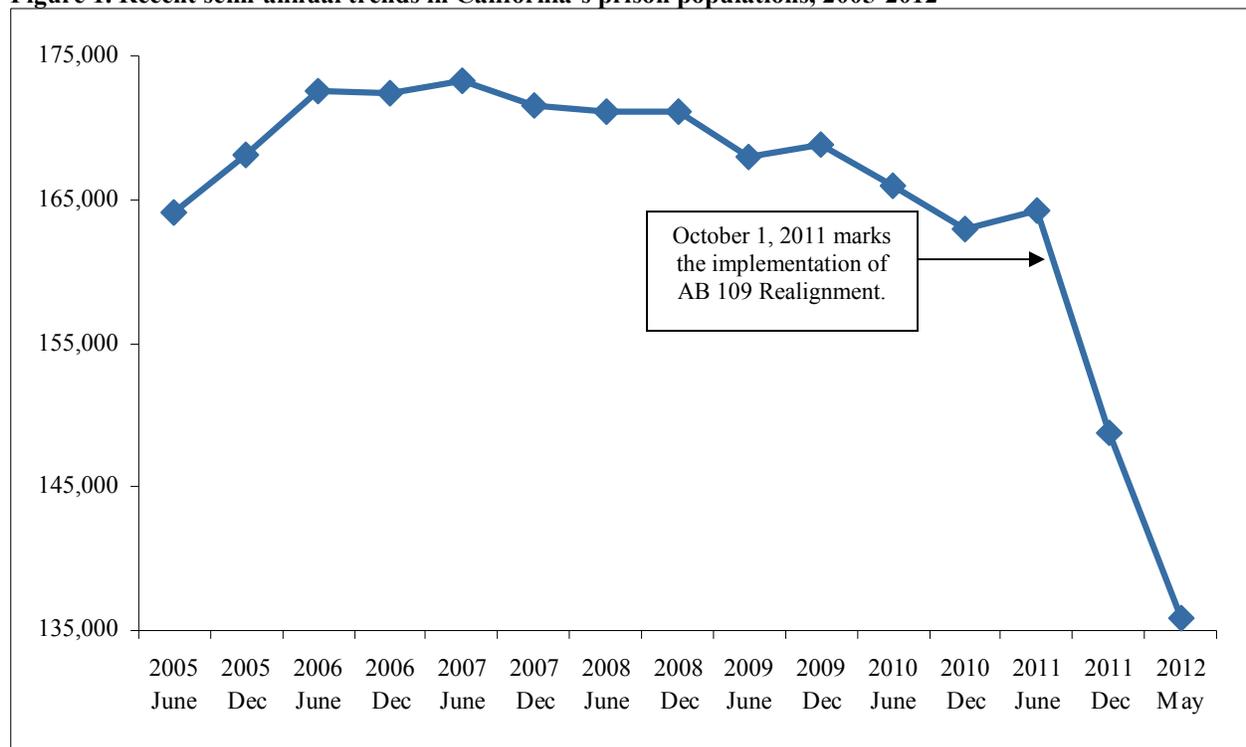
Overall, the state prison population is reducing according to expected projections. Generally, counties that have historically over-relied on state prison are experiencing larger reductions in their imprisoned populations and new commitments to state prison. In addition, it appears that the reductions are occurring specifically within the low-level offender categories, rather than the more violent, serious offenders; which alleviates many public safety concerns. The decreased reliance on state incarceration should also produce significant cost savings for California taxpayers. However, these trends are not consistent among California's 58 counties; those deserving of more detailed analysis are highlighted in this publication.

Specifically, 18 counties show declines of more than 50% in the numbers of new prisoners committed to CDCR facilities since realignment was implemented (CDCR, 2012a). This

includes seven major counties;¹ Santa Barbara, Santa Clara, Kings, Tulare, San Mateo, Ventura, and San Bernardino. New admissions of lesser offenders such as those sentenced for petty theft and drug possession show declines of between 60-80% (CDCR, 2012a). In fact, new commitments to state prison in the first quarter of 2012 fell to the lowest rate since 1985 (CDCR, 2012a; Dept. of Finance, 2012).²

Figure 1 depicts an initial decline of 28,300 inmates in the prison population since realignment was implemented. At an average cost of approximately \$46,000 to imprison one inmate for a year, this decline should reduce 2011-12 prison costs by more than \$1.3 billion, partially offset by the lower costs of managing non-violent, non-serious offenders under county and local jurisdiction,³ considerably more than the \$390 million the Legislative Analyst’s Office initially expected. This initial success validates the Department of Finance’s forecast that “the 2011 realignment will save significantly more than initially estimated” (Legislative Analyst’s Office, 2012, p. 7).

Figure 1. Recent semi-annual trends in California’s prison populations, 2005-2012



Source: CDCR (2012).

¹ In this publication “major counties” refers to counties with 500 or more inmates in state prison as of December 31, 2011. Those counties include: Alameda, Butte, Contra Costa, Fresno, Humboldt, Kern, Kings, Los Angeles, Madera, Merced, Monterey, Orange, Placer, Riverside, Sacramento, San Bernardino, San Diego, San Francisco, San Joaquin, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Shasta, Solano, Sonoma, Stanislaus, Tehama, Tulare, Ventura, Yolo, and Yuba.

² Expressed as a rate per 100,000 population annually.

³ The following data are based on the most recent detailed report as of this writing; the December 31, 2011 Prison Census, which does not reflect further declines in prison populations through May 31, 2012, shown in briefer monthly reports.

Demographics of state prison

CDCR data show that quarterly new admissions to state prisons declined by 41% from the third quarter of 2011 to the first quarter of 2012 (Table 1). New admissions of female offenders dropped by 66%; and whites and Asians showed the biggest percentage change in prison commitments. Most age ranges, with the exception of 18-24 year-olds, showed declines over 35%. The significant decline in female offenders may be due in part to Senate Bill 1266 (2010) that established a local alternative to incarceration for non-serious, non-violent female offenders, pregnant inmates, or inmates who are primary caregivers (LAO, 2012).

Table 1. Demographic changes in quarterly new commitments to state prison, post- vs. pre- realignment

<u>Demographic:</u>	Felon new admissions to state prison by quarter			Change in new admissions (2011-3rd v. 2012-1st):	
	Pre-realignment quarter	Post-realignment quarters		<u>Number</u>	<u>Percent</u>
	<u>2011-3rd</u>	<u>2011-4th</u>	<u>2012-1st</u>		
Total	13,614	8,855	8,004	-5,610	-41%
Female	1,473	627	507	-966	-66%
Male	12,141	8,228	7,497	-4,644	-38%
<u>Race</u>					
White	3,866	2,246	2,032	-1,834	-47%
Black	3,147	2,364	2,080	-1,067	-34%
Latino	5,913	3,771	3,519	-2,394	-40%
Asian/other	688	474	373	-315	-46%
<u>Age</u>					
Under 18	0	1	0		
18-19	574	440	432	-142	-25%
20-24	2,562	1,784	1,714	-848	-33%
25-29	2,552	1,631	1,491	-1,061	-42%
30-34	2,216	1,380	1,263	-953	-43%
35-39	1,562	947	780	-782	-50%
40-44	1,470	890	802	-668	-45%
45-49	1,235	817	728	-507	-41%
50-54	827	552	418	-409	-49%
55-59	380	235	238	-142	-37%
60 AND OVER	236	178	138	-98	-42%

*The pre-realignment period is July 1 through September 30, 2011; the post-realignment period is October 1 through March 31, 2012. Source: CDCR (2012a).

As expected, the largest reductions in new prison commitments involved parole violators (down 47%) more than new felons (down 39%), and property and drug offenders (both down more than 60%) rather than violent offenders (down 7%) (see Table 2). Decreases in commitments for drug sales other than for marijuana (down 76%), petty theft (down 64%), and marijuana offenses (down 74%) were substantial. Meanwhile, violent offenses showed only marginal declines, with modest drops in commitments for murder and assault, no change for robbery, and a slight increase for rape. Before realignment, 29.7% of new prison admissions were for violent offenses; after realignment, 46.9%.

However, some counties may be using the unspecified “other” offense commitment to avoid realignment mandates. While initially, those sent to state prison for “other” unspecified offenses

dropped from 534 in the 3rd quarter of 2011 to 407 in the 4th quarter after realignment initiated, these sentencing offenses more than doubled to 879 in the first quarter of 2012. It is unclear what the unspecified “other” sentencing offenses consist of, as well as the reason for the rapid increase in 2012.⁴ CJCJ recommends a further analysis of counties use of this category, as well as its specifics.

Table 2. Change in quarterly new commitments to state prison, post-realignment period versus pre-realignment period, 2011-2012 by prisoner admission status and offense

Felon new admissions to state prison by quarter					
	Pre-realignment	Post-realignment		Change in new admissions	
	quarter	quarters		(2011-3rd v. 2012-1st):	
<u>Admission status:</u>	<u>2011-3rd</u>	<u>2011-4th</u>	<u>2012-1st</u>	<u>Number</u>	<u>Percent</u>
New admission	9,723	6,439	5,948	-3,775	-39%
Parole violator	3,891	2,416	2,056	-1,835	-47%
<u>Offense category</u>					
Violent crimes	4,039	3,912	3,753	-286	-7%
Property crimes	4,331	2,089	1,623	-2,708	-63%
Drug crimes	3,358	1,516	973	-2,385	-71%
Other crimes	1,886	1,338	1,655	-231	-12%
<u>Selected offenses</u>					
Murder/non-vehicular manslaughter	283	312	269	-14	-5%
Robbery	867	908	871	4	0%
Rape	46	73	63	17	37%
Aggravated assault	901	787	751	-150	-17%
Drug sale (non marijuana)	1,565	636	377	-1,188	-76%
Drug possession (non marijuana)	1,590	771	543	-1,047	-66%
Petty theft with prior	436	198	159	-277	-64%
Marijuana sale/possession	203	109	53	-150	-74%
Other (unspecified) offenses	534	407	879	345	65%

Source: CDCR (2012a). See note to Table 1.

From June 30, 2011, to May 31, 2012, state prison populations fell from 164,200 to 135,800, a drop of 17%, to the lowest numbers in 17 years. The number of females imprisoned dropped faster (down 32%) than for males (down 16%) (CDCR, 2012). In contrast, realignment does not appear to have significantly affected the racial or age structure of the prison system to date.

Realignment is progressing rapidly toward its goal of reserving state prison beds for individuals convicted of the most violent and serious offenses. As expected, strike offense, life-sentence, and death-row populations decreased only marginally, but those with determinate sentencing saw imprisonments fall by 16%. Individuals with no record of violent or serious offenses displayed a 27% decline in imprisonments, while offenders with current violent and past violent or serious criminal records did not show declines. The number of parole violators returned to custody, typically for minor parole violations not warranting a new sentence, decreased the most, down 58%. In between were those with histories of violent or serious convictions, whose numbers declined modestly (CDCR, 2012).

⁴ The “other” offenses appear to correlate with CJSC data for arrest trends. These offenses include weapons and vehicular related crime, fraud, and various unspecified offenses. CJCJ has requested specifics from CDCR and is awaiting response, as of June 2012.

County-by-county

Twenty-six counties showed larger than average declines in prison commitments after realignment implementation (Table 3). Of these counties, sixteen major counties, led by Imperial, Mendocino, Santa Barbara, Santa Clara, Kings, Tulare, San Mateo, Ventura, and San Bernardino showed drops of 50% or more in new commitments. *Of the 26 counties that achieved greater reductions in new commitments than the state average in 2011, 18 already had lower than average rates of commitment to state prison before realignment.* In particular, San Francisco, Ventura, Imperial, and Mendocino counties achieved large reductions in new commitments in addition to previously limited use of state prison.

San Francisco, Ventura, Imperial, & Mendocino counties achieved large reductions in new commitments despite previously limited use of state prison.

Table 3. Change in quarterly new commitments to state prison, post-realignment period versus pre-realignment period, 2011-2012, by county (ranked)

County (ranked by percent change):	Felon new admissions to state prison by quarter			Change in new admissions (2011-3rd v. 2012-1st):	
	Pre-realignment quarter	Post-realignment quarters		Number	Percent
	2011-3 rd	2011-4 th	2012-1 st		
Mono	1	0	0	-1	-100%
Nevada	12	6	2	-10	-83%
Lassen	18	6	4	-14	-78%
Colusa	4	4	1	-3	-75%
Mariposa	4	2	1	-3	-75%
Imperial	46	29	12	-34	-74%
Siskiyou	20	6	6	-14	-70%
Tuolumne	22	15	7	-15	-68%
Mendocino	35	21	13	-22	-63%
Santa Barbara	142	77	61	-81	-57%
Santa Clara	554	251	241	-313	-56%
Sutter	47	22	21	-26	-55%
Glenn	11	7	5	-6	-55%
Kings	113	72	52	-61	-54%
Tulare	179	129	83	-96	-54%
San Mateo	185	94	87	-98	-53%
Ventura	176	100	83	-93	-53%
San Bernardino	1,300	784	650	-650	-50%
Humboldt	59	33	30	-29	-49%
Kern	532	291	279	-253	-48%
Orange	936	446	499	-437	-47%
San Luis Obispo	63	43	34	-29	-46%
Butte	120	57	65	-55	-46%
Yolo	93	61	51	-42	-45%
San Francisco	106	66	60	-46	-43%
Solano	95	70	55	-40	-42%
Statewide	13,614	8,855	8,004	-5,610	-41%

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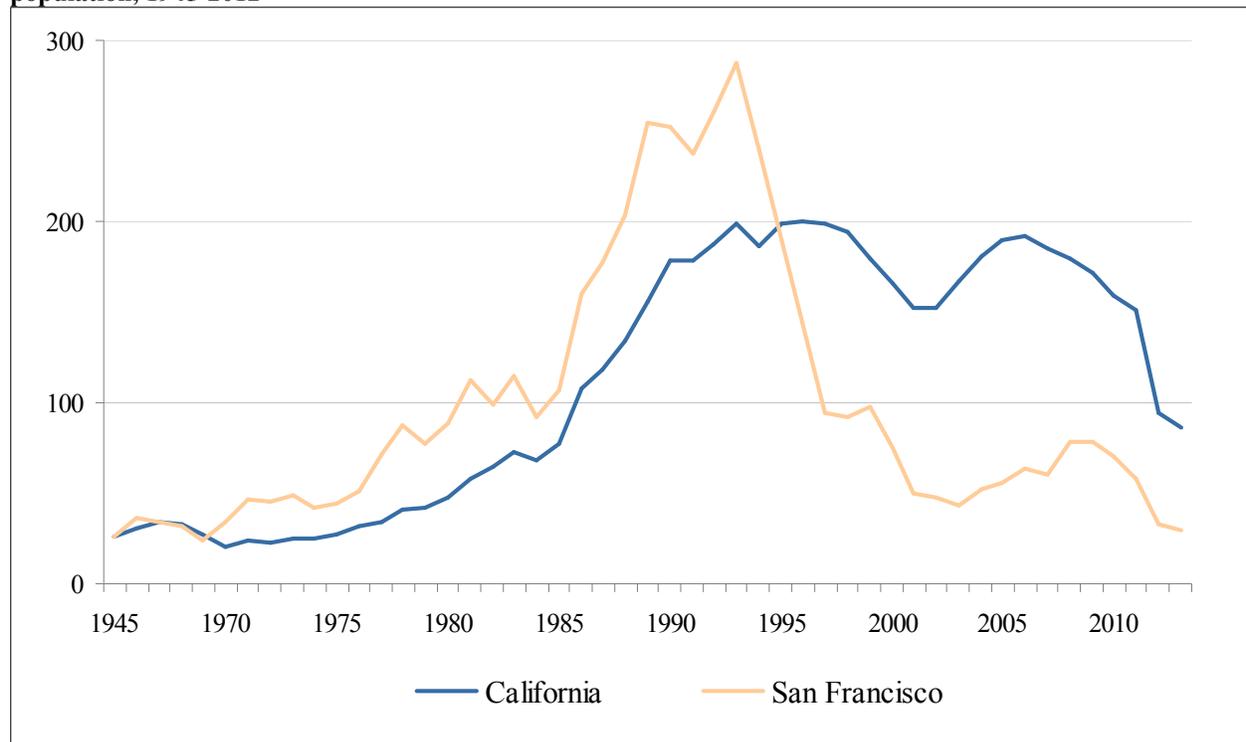
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Statewide	13,614	8,855	8,004	-5,610	-41%
Los Angeles	4,412	2,915	2,602	-1,810	-41%
Riverside	968	575	579	-389	-40%
Sacramento	524	451	315	-209	-40%
Sonoma	90	90	55	-35	-39%
Fresno	477	316	305	-172	-36%
Monterey	171	119	112	-59	-35%
Shasta	91	74	60	-31	-34%
Alameda	250	197	168	-82	-33%
San Diego	830	618	560	-270	-33%
Contra Costa	135	123	94	-41	-30%
Amador	12	5	9	-3	-25%
Inyo	4	3	3	-1	-25%
Calaveras	9	6	7	-2	-22%
Merced	72	58	57	-15	-21%
Placer	58	57	46	-12	-21%
Tehama	47	21	38	-9	-19%
Plumas	6	3	5	-1	-17%
San Benito	12	10	10	-2	-17%
Stanislaus	157	135	131	-26	-17%
Marin	23	19	20	-3	-13%
Napa	26	24	23	-3	-12%
Yuba	44	44	43	-1	-2%
Lake	24	18	24	0	-0%
Santa Cruz	22	36	22	0	-0%
El Dorado	40	28	41	1	+2%
Madera	42	24	46	4	+10%
San Joaquin	182	175	206	24	+13%
Del Norte	6	3	8	2	+33%
Sierra	1	0	2	1	+100%
Trinity	2	1	5	3	+150%
Alpine	0	0	0	0	n.a.
Modoc	0	2	1	1	n.a.
Other*	4	13	5	1	+25%

Source: CDCR (2012a). See note to Table 1. *The category “other” refers to inmates that had no California county of residence recorded.

San Francisco’s rate of new prison commitments, for example, is at its lowest level since the late-1940s, before the three decades’ surge in imprisonments began (Figure 2). More detailed analysis into the reasons for this trend could hold valuable information for strategies to address other counties’ use of incarceration, as well as that of California and the nation.

Figure 2. Annual new statewide vs. San Francisco felon admissions to California prisons, per 100,000 population, 1945-2012*



*The three latest data points are the annualized rates for the first three quarters of 2011, the 4th quarter of 2011, and the first quarter of 2012, respectively. Sources: CDCR (2012a); Dept. of Finance (2012).

In contrast, 32 counties showed lower than average reductions in prison commitments, with 6 counties (led by San Joaquin, El Dorado, and Madera) showing increases. In particular, San Joaquin, Madera, Yuba, Shasta, and Monterey, which already had considerably higher than average rates of commitment to state prison before realignment, also showed substantially lower than average reductions in new prison commitments after realignment.

County reductions in their prison population also differed radically across the state. Several major counties, led by Solano, Placer, Kings, San Francisco, San Joaquin, Butte, Stanislaus, Kern, and Merced, showed much greater reductions in prison populations in the last half of 2011 (down 14-16%) than the state average. Whereas, Contra Costa, Sonoma, San Mateo, and Marin showed much lower reductions than the state average (5-6%) (CDCR, 2012; CJSC, 2011; Dept. of Finance, 2012).

Modest prison population reductions do not necessarily indicate a lack of county commitment to realignment goals. The counties with the least reduction in state prisoners were usually, though not always, those that had lower rates of state imprisonment prior to realignment and thus had a limited margin for more reductions. However, some county trends warrant further analysis, such as Riverside's, with high rates of prior imprisonment and low rates of reduction after realignment, and those such as San Francisco's, with low rates of prior imprisonment and continued high reductions in prison populations after realignment.

Conclusion

Most major policy changes have unforeseen consequences, but so far, realignment is effectively achieving its goals more quickly than even its supporters had anticipated. New prisoner commitments have declined to levels not seen since the 1980s, when California had 7 million fewer residents. San Francisco, in particular, now shows fewer new prison commitments than at any time in more than 40 years.

Overall, whether local officials expressed support for realignment or doubts and opposition, the large majority of jurisdictions are implementing the policy with effective rationality. The biggest reductions, as hoped, involve the least serious offenders, led by petty theft, marijuana, and drug possession. However, the rise in new prison commitments for “other” unspecified offenses requires examination to see if certain jurisdictions are misusing this category to avoid realignment mandates.

It is vital to evaluate historic changes such as prison realignment carefully in order to provide rational basis for understanding its effects and developing future criminal justice policies and practices. In that light, it is important to note that this publication only provides analysis of the first 8 months of realignment. There are many challenges inherent in such a dramatic policy change that must be met if the initial success is to continue both at the local and state level (see Legislative Analyst’s Office, 2012). For example, some counties are now experiencing overcrowding in their jails and a need for increased treatment programs and targeted interventions for their drug offender population. In addition, the state must continue to reduce its prison population and provide adequate conditions of care to its reduced, older, and more medically demanding population. Continuing detailed review of county practices may provide insight into prison reduction trends and may identify replicable positive county approaches to realignment.

In contrast to these potential future challenges, current data present a positive outlook; despite a reduction of 25,300 (58%) in drug offenders held in state prisons in recent years, crime in California continues to drop to historic lows. This suggests that a local, decentralized approach to low-level offenders is an effective alternative to state incarceration that further promotes public safety.

Finally, it should be remembered that sending low-level offenders to state prison does not inoculate local areas against further crime. Nearly all state prisoners now are released after serving sentences, with around 65% being arrested for new crimes within 3 years (CDCR, 2011). One of the key goals of realignment is to enable counties to devise strategies that more effectively reduce recidivism and manage lower level offenders at less cost, while reducing the state’s exposure to high costs and court mandates. Therefore, careful analysis of realignment’s impact on crime and county services will be essential as realignment moves forward.

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***Please note:** Each year, every county submits their data to the official statewide databases maintained by appointed governmental bodies. While every effort is made to review data for accuracy, CJCJ cannot be responsible for data reporting errors made at the county level.*

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